

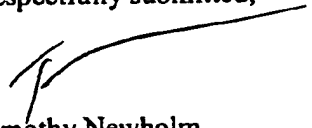
include the limitations of claim 9, thereby placing these claims in *prima facie* condition for allowance.

It is submitted that original claims 1-23 and 25-31 are in compliance with 35 U.S.C. §§ 102 and 103 and each define patentable subject matter. A Notice of Allowance is therefore respectfully requested.

Enclosed is a check in the amount of \$1,020 for a three-month extension of time, which applicant hereby requests. No other fees are believed to be payable with this communication. Nevertheless, should the Examiner consider any other fees to be payable in conjunction with this or any future communication, the Director is authorized to direct payment of such fees, or credit any overpayment to Deposit Account No. 50-1170.

The Examiner is invited to contact the undersigned by telephone if it would help expedite matters.

Respectfully submitted,



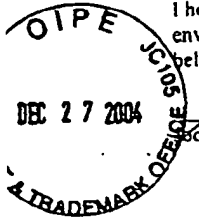
Timothy Newholm
Registration No. 34,400

Dated: December 21, 2004

Enclosure:

Declaration of Gregory J. Orzal

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Director of the U.S. Patent & Trademark Office, Washington, DC 20231 on the date indicated below.

Rodri A. Calderon

Date:

12-21-04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): GEIER et al.

Art Unit: 3673

Serial No. 09/713,659

Examiner: Sunil Singh

Filed: November 15, 2000

Attorney Docket No. 7.035

For: *Vibratory Compactor and Compact Exciter Assembly Usable Therewith*

AMENDMENT

Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is in response to the Office Action dated July 1, 2004. Please amend the application as follows.

Amendments to the Specification begin on page 2 of this Amendment.

Amendments to the Claims begin on page 3 of this Amendment.

Remarks/Arguments begin on page 21 of this Amendment.

Appendix follows this Amendment including the Declaration of Gregory J. Orzal

with Exhibits 1 and 2.

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